

for ensuring that workers are properly and effectively using the equipment. Records of fit-testing and essential for determining that the worker is wearing the proper respirator.

Title 30 CFR Sections 56.5005 and 57.5005 require metal and nonmetal mine operators to institute a respirator program governing selection, maintenance, training, fitting, supervision, cleaning and use of respirators. To control those occupational diseases caused by breathing air contaminated with harmful dusts, fumes, mists, gases, or vapors, the primary objective is to prevent atmospheric contamination. MSHA's current policy, as prescribed by regulation, is to require that this be accomplished by feasible engineering and administrative control measures. When effective controls are not feasible, or while they are being instituted, or during occasional entry into hazardous atmospheres to perform maintenance or

investigations, appropriate respirators are to be used in accordance with established procedures protecting the miners.

Sections 56.5005 and 57.5005 incorporate by reference requirements of the American National Standards Institute (ANSI Z88.2-1969). These incorporated requirements mandate that miners who must wear respirators be fit-tested to the respirators that they will use. Certain records are also required to be kept in connection with respirators, including records of the date of issuance of the respirator, and fit-test results. The fit-testing records are essential for determining that the worker is wearing the proper respirator.

## II. Current Actions

The mine operator uses the information to properly issue respiratory protection to miners when feasible engineering and/or administrative controls do not reduce the exposure to permissible levels. Fit-

testing records are used to ensure that a respirator worn by an individual is in fact the one for which that individual received a tight fit. MSHA uses the information to determine compliance with the standard.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Respirator Program Records.

*OMB Number:* 1219-0048.

*Agency Number:* MSHA 404.

*Record keeping:* None.

*Affected Public:* Business or other for-profit.

*Cite/Reference/Form/etc:* 30 CFR Sections 56.5005 and 57.5005.

*Total Respondents:* 600.

*Frequency:* As required.

*Total Responses:* 15,900.

*Average Time per Response:* 5 hours and 20 minutes.

*Estimated Total Burden Hours:* 3,973 hours.

Cite/Reference	Total respondents	Frequency (per year)	Total responses	Average time per response (hours)	Burden (hours)
Program Requirements .....	600	12	7,200	5.000	3,000
Fit Test .....	1,500	1	1,500	.250	375
ANSI Recordkeeping .....	600	12	7,200	.083	598
Totals .....	2,700	.....	15,900	5.353	3,973

*Total Burden Cost (capital/startup):* None.

*Total Burden Cost (operating/maintaining):* \$131,666.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: July 15, 1998.

**George M. Fesak,**

*Director, Program Evaluation and Information Resources.*

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## DEPARTMENT OF LABOR

### Pension and Welfare Benefits Administration

#### Working Group Studying Retirement Plan Leakage—Cashing In Your Future from ERISA Employer-Sponsored Pension Plans; Advisory Council on Employee Welfare and Pension Benefits Plans; Notice of Meeting

Pursuant to the authority contained in Section 512 of the Employee Retirement

Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, a public meeting will be held on Wednesday, August 12, 1998, of the Retirement Plan Leakage—Cashing in Your Future—Working Group of the Advisory Council on Employee Welfare and Pension Benefit Plans. The group is studying pre-retirement distributions, including in-service distribution, hardship loans and participant loans from ERISA employer-sponsored pension plans.

The purpose of the open meeting, which will run from 9:30 a.m. to approximately noon in Room N-4437 C&D, U.S. Department of Labor Building, Second and Constitution Avenue NW, Washington, DC 20210, is for Working Group members to continue taking testimony on the import of these "pension preservation" issues.

Members of the public are encouraged to file a written statement pertaining to the topic by submitting 20 copies on or before August 4, 1998, to Sharon Morrissey, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Room N-5677, 200 Constitution Avenue, NW, Washington, DC 20210. Individuals or representatives of organizations wishing to address the

Working Group should forward their request to the Executive Secretary or telephone (202) 219-8733. Oral presentations will be limited to 10 minutes, but an extended statement may be submitted for the record. Individuals with disabilities, who need special accommodations, should contact Sharon Morrissey by August 4, 1998, at the address indicated in this notice.

Organizations or individuals also may submit statements for the record without testifying. Twenty (20) copies of such statements should be sent to the Executive Secretary of the Advisory Council at the above address. Papers will be accepted and included in the record of the meeting if received on or before August 4.

Signed at Washington, DC this 15th day of July, 1998.

**Meredith Miller,**

*Deputy Assistant Secretary, Pension and Welfare Administration.*

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